



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,649	07/15/2003	Kazuyuki Seki	240347US2	5261
22850	7590	08/02/2007		
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
			EXAMINER YODER III, CHRISS S	
			ART UNIT 2622	PAPER NUMBER
			NOTIFICATION DATE 08/02/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
oblonpat@oblon.com  
jgardner@oblon.com

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/618,649	SEKI, KAZUYUKI	
	Examiner	Art Unit	
	Chriss S. Yoder, III	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on July 15, 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/2003, 08/2006</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Nagaoka et al. (US Patent # 6,816,189).
2. In regard to claim 1, note Nagaoka discloses an imaging apparatus comprising a storage media to store an information file in which information data are described (column 6, lines 25-29), a connector to attach and detach said storage media (column 6, lines 21-23), first display means for displaying said information file (figure 10), first selection means for selecting the information file which is displayed by said first display means (column 8, lines 52-60 and figure 10), second display means for displaying the information data which are described in the information file selected by said first selection means (figure 11), second selection means for selecting the information data which are displayed by said second display means (column 9, lines 40-43 and figure 11), and means for adding the information data, which are selected by said second selection means, into an image file (column 8, line 45 – column 9, line 59).

3. In regard to claim 2, note Nagaoka discloses an imaging apparatus comprising a storage media in which an information file is stored (column 6, lines 25-29), a connector to attach and detach said storage media (column 6, lines 21-23), and a function for displaying said information file (figure 10), an attribute of said information file being defined (figure 11, the directory/filename are considered to be the attribute), said function for displaying said information file including a function for switching a display name to display switching as to which of an information file name or a display name corresponding to the attribute of the information file is displayed (figure 10), said display name switching function including at least one of a manual switching of display screen or an automatic switching of display screen by the attribute of the information file (column 8, lines 52-60, the name is selected manually).

4. In regard to claim 3, note Nagaoka discloses an imaging apparatus comprising a storage media to store an information file in which information data are described, an attribute of said information file being defined (column 6, lines 25-29), a connector to attach and detach said storage media (column 6, lines 21-23), first display means for displaying said information file (figure 10), first selection means for selecting the information file which is displayed by said first display means (column 8, lines 52-60 and figure 10), second display means for displaying information data which are described in the information file selected by said first selection means (figure 11), second selection means for selecting information data which are displayed by said second display means (column 9, lines 40-43 and figure 11), an information data changing means for changing the information data, which are selected by said second selection means in accordance

with the attribute of the information file selected by the first selection means (column 9, lines 40-43 and figure 11; the directory/filename are considered to be changed), and means for adding the information data, which are changed by said information data changing means, into an image file (column 8, line 45 – column 9, line 59).

5. In regard to claim 4, note Nagaoka discloses an imaging apparatus comprising a storage media to store an information file in which first information data are described, an attribute of said information file being defined (column 6, lines 25-29), a connector to attach and detach said storage media (column 6, lines 21-23), second information data, which are previously described in the imaging apparatus (column 9, lines 40-43 and figure 11), displaying means for displaying said information file (figure 10), selection means for selecting the information file which is displayed by said display means (column 8, lines 52-60 and figure 10), and information data replacement means for replacing the first information data, which are described in the information file selected by said selection means, with the second information data, in accordance with the attribute of the information file selected by said selection means (column 9, lines 40-43 and figure 11; the directory/filename are considered to be replaced).

6. In regard to claim 5, note Nagaoka discloses an imaging apparatus comprising a storage media to store an information file in which information data are described (column 6, lines 25-29), a connector to attach and detach said storage media (column 6, lines 21-23), first display means for displaying said information file (figure 10), first selection means for selecting the information file displayed by said first display means (column 8, lines 52-60 and figure 10), second display means for displaying the

Art Unit: 2622

information data which are described in the information file selected by said first selection means (figure 11), second selection means for selecting the information data which are displayed by said second display means (column 9, lines 40-43 and figure 11), means for adding the information data, which are selected by said second selection means, into an image file (column 8, line 45 – column 9, line 59), and confirmation means for confirming the information data which are selected by said second selection means (column 8, line 45 – column 9, line 59; the completion of selection is considered to be a confirmation).

7. In regard to claim 6, note Nagaoka discloses an imaging apparatus comprising a storage media to store an information file in which information data are described (column 6, lines 25-29), a connector to attach and detach said storage media (column 6, lines 21-23), a first display device to display said information file (figure 10), a first selection device to select the information file which is displayed by said first display device (column 8, lines 52-60 and figure 10), a second display device to display the information data which are described in the information file selected by said first selection device (figure 11), a second selection device to select the information data which are displayed by said second display device (column 9, lines 40-43 and figure 11), and a device to add the information data, which are selected by said second selection device, into an image file (column 8, line 45 – column 9, line 59).

8. In regard to claim 7, note Nagaoka discloses an imaging apparatus comprising a storage media to store an information file in which information data are described, an attribute of said information file being defined (column 6, lines 25-29), a connector to

Art Unit: 2622

attach and detach said storage media (column 6, lines 21-23), a first display device to display said information file (figure 10), a first selection device to select the information file which is displayed by said first display device (column 8, lines 52-60 and figure 10), a second display device to display the information data which are described in the information file selected by said first selection device (figure 11), a second selection device to select the information data which are displayed by said second display device (column 9, lines 40-43 and figure 11), an information changing device to change the information data, which are selected by said second selection device in accordance with the attribute of the information file selected by the first selection device (column 9, lines 40-43 and figure 11; the directory/filename are considered to be changed), and a device to add the information data, which are changed by said information changing device, into an image file (column 8, line 45 – column 9, line 59).

9. In regard to claim 8, note Nagaoka discloses an imaging apparatus comprising a storage media to store an information file in which first information data are described, an attribute of said information file being defined (column 6, lines 25-29), a connector to attach and detach said storage media (column 6, lines 21-23), second information data, which are previously described in the imaging apparatus (figure 11), a display device to display said information file (figure 11), a selection device to select the information file, which is displayed by said display device (column 8, lines 52-60 and figure 10), and an information data replacement device to replace the first information data, which are described in the information file selected by said selection device, with the second information data in accordance with the attribute of the information file selected by said

selection device (column 9, lines 40-43 and figure 11; the directory/filename are considered to be replaced).

10. In regard to claim 9, note Nagaoka discloses an imaging apparatus comprising a storage media to store an information file in which information data are described (column 6, lines 25-29), a connector to attach and detach said storage media (column 6, lines 21-23), a first display device to display said information file (figure 10), a first selection device to select the information file displayed by said first display device (column 8, lines 52-60 and figure 10), a second display device to display the information data, which are described in the information file selected by said first selection device (figure 11), a second selection device to select the information data, which are displayed by said second display device (column 9, lines 40-43 and figure 11), a device to add the information data, which are selected by said second selection device, into an image file (column 8, line 45 – column 9, line 59), and a confirmation device to confirm the information data, which are selected by said second selection device (column 8, line 45 – column 9, line 59; the completion of selection is considered to be a confirmation).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US007233356B2: note the use of editable data stored along with the image data.



US006181878B1: note the selection of location data being stored with the image.

US006912002B1: note the use of editable data stored along with the image data.

US 20050110880A1: note the use of adjustable time/date information being stored along with the image data.

US007106954B2: note the use of editable data stored along with the image data.

US006606117B1: note the use of a list of images to be captured.

US006642959B1: note the storage of annotations along with the image data.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chriss S. Yoder, III whose telephone number is (571) 272-7323. The examiner can normally be reached on M-F: 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CSY  
July 19, 2007



LIN YE  
SPE. ART UNIT 2622